



REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)  
Attorney Docket: 095309.50220D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Mail Stop PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a request for filing a    continuation or X divisional application  
under 37 C.F.R. 1.53(b), of pending prior application:

Serial No. 09/912,418  
Filed on July 26, 2001  
Of Tilman HAUG et al.  
Entitled: SURFACE LAYER AND PROCESS FOR PRODUCING A  
SURFACE LAYER  
Examiner:                                   
Group:                                 

- X 1. Accompanying this order is a true copy of the prior application as  
originally filed.

Total pages 14

- X 2. New Formal drawings are being filed herewith consisting of 1 sheet,  
depicting Figure 1.

- X 3. Declaration and Power of Attorney:

- a.    Newly executed (original or copy)
- b. X Copy from prior application
- i.    Deletion of Inventors - signed statement attached  
deleting inventor(s) named in the prior application

- X 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the  
oath or declaration is supplied under Box 3b, is considered as being  
part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.

- X 5. Cancel original claims 1-11.

6. Small entity status:



- a. ☐ A small entity statement is enclosed
- b. ☐ A statement of small entity status (copy attached) was filed on ☐ in the prior application and status as a small entity is still proper and desired.
- c. ☐ Is no longer claimed

X 7. The filing fee is calculated below:

**CLAIMS AS FILED, INCLUDING ANY CLAIMS  
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

Basic Fee						<u>\$385</u>	<u>\$770</u>
Total Claims	<u>5</u>	-	<u>20</u>	=	<u>          </u>	x	<u>9</u> = \$ <u>          </u>
Ind. Claims	<u>2</u>	-	<u>3</u>	=	<u>          </u>	x	<u>43</u> = \$ <u>          </u>
	<u>          </u> Multiple Dependent Claims				+	<u>145</u>	= \$ <u>          </u> 290 = \$ <u>          </u>
					Total	\$ <u>          </u>	<u>\$770</u>

- ☐ 8. Please charge my Deposit Account No. 05-1323 (Docket #       ) in the amount of \$       .
- X 9. A check in the amount of \$770.00 to cover the filing fee is enclosed.
- X 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #095309.50220D1).
- X 11. Amend the specification by inserting before the first line the sentence: --This application is a division of application Serial No. 09/912,418, filed July 26, 2001.--
- X 12. Priority of Appln. No(s). 100 06 264.8, filed in Germany on July 26, 2000, is hereby claimed under 35 U.S.C. 119.
- X 13. A certified copy of each said priority document was filed in application Serial No. 09/912,418 on September 6, 2001.
- X 14. The prior application is assigned of record to DaimlerChrysler AG.
- X 15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg.

No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

- ☒ a. The power appears in the original application papers in the prior application.
- ☐ b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- ☐ c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- ☒ d. Address all future correspondence to:

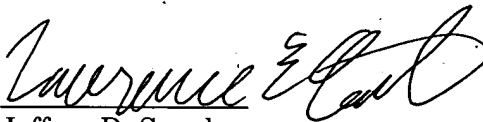
CROWELL & MORING, LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300

Customer No.  
23911

- ☒ 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- ☒ 17. A Preliminary Amendment is being filed herewith.
- ☒ 18. Return Receipt Postcard.
- ☒ 19. Other: Application Data Sheet

Respectfully submitted,

November 21, 2003



Jeffrey D. Sanok  
Registration No. 32,169  
Lawrence E. Carter  
Registration No. 51,532

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